

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

PHIEDRA PATTON,

Plaintiff,

v.

Case Number 05-10268-BC
Honorable Thomas L. Ludington

SBC AMERITECH,

Defendant.

_____ /

**ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND
DISMISSING CASE**

This matter is before for the Court on a report issued by Magistrate Judge Charles E. Binder on December 11, 2006 recommending that the plaintiff's complaint be dismissed for want of prosecution. Although the magistrate judge's report explicitly stated that the parties to this action may object to and seek review of the recommendation within ten days of service of the report, no objections have been filed. The plaintiff's failure to file objections to the report and recommendation waives any further right to appeal. *Smith v. Detroit Federation of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987). Likewise, the failure to object to the magistrate judge's report releases the Court from its duty to independently review the record. *Thomas v. Arn*, 474 U.S. 140, 149 (1985). However, the Court agrees with the conclusions of the magistrate judge.

Accordingly, it is **ORDERED** that the magistrate judge's report and recommendation is **ADOPTED** and the case is **DISMISSED**.

s/Thomas L. Ludington

THOMAS L. LUDINGTON
United States District Judge

Dated: January 16, 2007

PROOF OF SERVICE

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first class U.S. mail on January 16, 2007.

s/Tracy A. Jacobs

TRACY A. JACOBS